THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4 of 2007

Dated: 03.01.2007

Between:

S. Laxma Reddy.

..... PETITIONER

AND

The Revenue Divisional Officer, Ranga Reddy District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.4 of 2007

ORDER:

The petitioner is allegedly owner of land admeasuring Ac.0.04 cents in survey No.22E, Ac.0.17 cents in survey No.24E, Ac.1.04 cents in survey No.28E, Acs.3.00 in survey No.392/AA, Ac.1.06 cents in survey No.393/AA and Acs.2.07 cents in survey No.404/E situated at Torrur Village of Hayathnagar Mandal in Ranga Reddy District. It appears that he applied and obtained pattadar passbooks (PPBs) in respect of said land. However, he approached the second respondent, namely, the Mandal Revenue Officer (MRO) on 09.03.2006 for necessary Field Measurement Book(FMB)/Sub-Divisional Plan in respect of survey numbers shown in PPBs. MRO issued a memo dated 28.04.2006 advising the petitioner to approach the competent authority for necessary grievance on the ground that survey as per sub-division shown in the ROR pass book is not feasible. Aggrieved by the same, the petitioner preferred an appeal on 05.05.2006 before the first respondent and as no action was taken, instant writ petition is filed seeking a direction to the first respondent to dispose of the appeal expeditiously.

After getting instructions in the matter, the learned Assistant Government Pleader for Revenue (General-T) submits that the appeal presented by the petitioner was returned and the petitioner resubmitted the same on 10.05.2006 and that the matter was again returned to the petitioner advising him to approach the Assistant Director, Survey and Land Records, Ranga Reddy District, for necessary redressal.

The learned counsel for the petitioner placed strong reliance on Sub-Rule (4) of Rule 14 and Sub-Rule (11) of Rule 26 of the Andhra Pradesh Rights in Land and Pattadar Pass Book Rules, 1989 (hereafter called, the Rules).

A perusal of these Sub-Rules would show that whenever the preparation of record of rights is completed, the new sub-divisions as shown in the confirmed Record of Rights shall be measured and mapped in the concerned records duly collecting the necessary fee. Rule 26 (11) of the Rules also requires attachment of FMB/Tippon to the title deed/PPB for identification of the land. Now that the first respondent returned the appeal, no purpose would be served by directing him to dispose of the appeal. However, the matter may have to go back to MRO having regard to Rules 14(4) and 26(11) of the Rules. MRO should look into the matter and rectify the mistake in not attaching FMB and not mapping the concerned sub-divisions in respect of which the petitioner was allegedly issued PPBs. This would be sufficient redressal for the present.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

03rd January, 2007
ghn